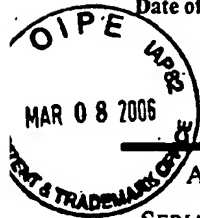


UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND				
1 Date of Request: 05/25/06		2 Serial/Patent # 1076729 10767		
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
	Filing			\$
	Amendment			\$
	Extension of Time			\$
	Notice of Appeal/Appeal			\$
X	Petition 1462		03/08/06	\$ 400.00
	Issue			\$
	Cert of Correction/Terminal Disc.			\$
	Maintenance			\$
	Assignment			\$
	Other			\$
		7 TOTAL AMOUNT OF REFUND		\$ 400.00
		8 TO BE REFUNDED BY:		
10 REASON:		Treasury Check		
	Overpayment	X	Credit Deposit A/C #:	
	Duplicate Payment		9 5 0 -- 0 3 1 1	
X	No Fee Due (Explanation):			
Petition due to PTO error				
11 REFUND REQUESTED BY:				
TYPED/PRINTED NAME: Douglas Wood		TITLE: Sr Petitions Atty		
SIGNATURE: [Signature]		PHONE: 571 272 3231		
OFFICE: Office of Petitions				
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****				
APPROVED: [Signature]		DATE: 5/30/06		

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS :	John H. Leamon, <i>et al.</i>	CONFIRMATION NUMBER :	5560
SERIAL NUMBER :	10/767,779	EXAMINER :	Not Yet Assigned
FILING DATE :	January 28, 2004	ART UNIT :	1632
FOR :	METHODS OF AMPLIFYING AND SEQUENCING NUCLEIC ACIDS		

MAIL STOP PETITION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

PETITION TO CHANGE FILING DATE

Dear Sir:

1. Applicants request that the filing date of September 22, 2004 set forth on the Filing Receipt mailed by the U.S. Patent and Trademark Office on October 18, 2004, be corrected to January 28, 2004. A copy of the Filing Receipt (Exhibit A) is enclosed. The statements below are made as to the exact facts that are relied upon to establish that the Application was filed on January 28, 2004.
2. On June 6, 2003, Applicants filed Provisional Application Serial No. 60/476,592 which contains, among other things, Figures 11C and 11D.
3. On January 28, 2004, Applicants filed U.S. Patent Application Serial No. 10/767,779 which also contains Figures 11C and 11D. The USPTO acknowledged receipt of this Application with all figures (41 pages comprising figures 1-42). Patent Application Serial No. 10/767,779 also incorporated by reference Provisional Application Serial No. 60/476,592 on page 1, line 11.
4. On June 22, 2004, the USPTO issued a Notice to File Missing Parts, alleging that the filed application was missing Figures 11C and 11D.
5. On September 22, 2004, Applicants submitted a preliminary amendment which replaced the original Drawings with Formal Drawings. The Formal Drawings included Figures

Adjustment date: 05/30/2006 CKHLOK
 03/14/2006 TBESHAM1 00000025 10767779
 01 FC:1462 -400.00 OP

Repln. Ref: 05/30/2006 CKHLOK 0011532800
 DAH:500311 Name/Number:10767779
 FC: 9204 \$400.00 CR

03/14/2006 TBESHAM1 00000025 10767779

400.00 OP

01 FC:1462

11. Accordingly, Applicants respectfully submit that the Updated Filing Receipt mailed October 18, 2004 is in error, and request that the filing date be corrected to January 28, 2004.
12. Pursuant to 37 C.F.R. §1.17(f), a check for \$400.00 covering the petition fee is enclosed. Should any additional fee be due, the Commissioner is hereby authorized to charge such fee, or credit any overpayment, to Deposit Account Number: 50-0311, Customer Number: 35437, Reference Number: 21465-510 UTIL. Because the Updated Filing Receipt mailed October 18, 2004 is in error, Applicants hereby respectfully request a refund of the petition fee. A duplicate copy of this petition is enclosed.
13. Should the Commissioner have any questions concerning this petition, he is invited to telephone the undersigned at the number provided.

Respectfully submitted,



Dated: March 8, 2006

Ivor R. Elrifi, Reg. No. 39,529
Michelle A. Klein, Reg. No. 55,296
Attorneys/Agents for Applicants
c/o MINTZ, LEVIN, *et al.*
666 Third Avenue-24th Floor
New York, New York 10017
Telephone: (212) 983-3000
Telefax: (212) 983-3115
Tel: (212) 692-6296
Fax: (212) 983-3115